

MEMORANDUM

DATE: February 9, 2010

TO: The Board of Supervisors

FROM: Jason Purse, Senior Planner

SUBJECT: ZO-0004-2009. SUP Use List Amendments

In July 2008, staff brought forward Zoning Ordinance amendments that dealt with changes to what uses are permitted or specially permitted in various business/industrial districts in the County. At that time, the Board of Supervisors only approved a portion of the proposed changes. At the direction of the Board, staff is reintroducing the remainder of the previously proposed changes at this time. There are no other additional changes proposed with this amendment, other than what the Planning Commission and the Board of Supervisors had previously seen.

Looking at the uses that are currently allowed by-right, staff had compiled a list of specially permitted uses (SUPs) that have similar impacts in those zoning districts. Staff feels that moving those uses from SUPs to permitted uses will not have additional adverse effects on similarly zoned properties across the County. In accordance with the Business Climate Task Force report, staff looked at the business/industrial sections of the ordinance. The Board of Supervisors had previously approved changes to the M-1 and M-2 districts, and the only changes proposed with this amendment are from the LB and B-1 ordinances.

As a part of this review, the Office of Economic Development reviewed the ordinance and provided recommendations, and staff took that information into consideration as well. Previously, staff also incorporated some “new” uses into this amendment.

Staff has provided multiple documents below for your review. You will find the following attachments to help you review the material:

- A list of all processed SUPs since 2002 (excluding the ones withdrawn prior to Planning Commission consideration) broken down by zoning district.
- A list of parcels, both developed and undeveloped, in the County broken down by zoning district.
- As can be seen with these two attachments, only a relatively small amount of land is affected by SUPs being changed to permitted uses, and there was only one use processed as an SUP that is being proposed to switch to a permitted use and that is restaurant in LB. Staff has restricted the impact of the use by limiting the permitted restaurant to less than 100 seats.

Recommended Amendments:

Staff recommends the following uses be added as Permitted uses.

LB-

- Catering and meal preparation 5,000 square feet or less (new)
- Contractor's offices with storage of materials and equipment limited to a fully enclosed building
- Lumber and building supply (with storage limited to a fully enclosed building)
- Mailing and facsimile transmission reception (new)
- Plumbing and electrical supply (with storage limited to a fully enclosed building)

- Restaurant (excluding fast-food restaurants), tea rooms, and taverns with 100 seats or less
- Retail food stores 5,000 square feet or less
- Tourist homes

B-1-

- Farmer's Market
- Limousine services (with maintenance limited to a fully enclosed building)
- Micro-breweries
- Research, development, and design facilities or laboratories
- Security Service Office

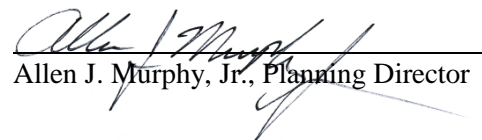
Future Ordinance Amendments:

At a later date, after staff begins the comprehensive zoning ordinance update process, a more in-depth study can be undertaken to evaluate larger changes to the ordinance. This project will investigate possibly adding requirements to the ordinance (such as typical SUP conditions) that might make it feasible to allow even more flexibility to the legislative process, as well as investigating and updating the commercial SUP requirements in Section 24-11. This second phase will most likely require more involvement from the Policy Committee, Planning Commission, and the Board of Supervisors throughout the process.

Staff recommends that the Board of Supervisors approve the ordinance amendments. At its January 13, 2010, meeting, the Planning Commission voted 7-0 to recommend approval of the B-1 changes and voted 4-3 to recommend approval of the changes to the LB zoning district.

Jason Purse

CONCUR:



Allen J. Murphy, Jr., Planning Director

JP/nb

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Attachments:

1. Ordinance
2. Unapproved minutes from the January 13, 2010, Planning Commission meeting
3. List of SUPs processed since 2002
4. Parcel statistic information